

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAROLYN GREENE, On Behalf of Herself and
All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A.
MOORE, CARL W. RAUSCH and RONALD F.
RICHARDS,

Defendants.

CIVIL ACTION NO. 1:03-cv-12628-NG

[Additional Captions Below]

**MOTION FOR CONSOLIDATION OF THE RELATED CASES,
APPOINTMENT OF BILL MCCARDIE AND VINCENT RICCIO AS LEAD
PLAINTIFFS, AND FOR APPROVAL OF THEIR SELECTION OF LEAD COUNSEL**

JOHN G. ESPOSITO, JR., On Behalf of Himself and All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

JOSEPH L. KING, On Behalf of Himself and All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

MICHAEL E. CRIDEN, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, and CARL W. RAUSCH,

Defendants.

CIVIL ACTION NO. 1:04-cv-10013-NG

CIVIL ACTION NO. 1:04-cv-10038-NG

CIVIL ACTION NO. 1:04-cv-10046-NG

ISRAEL SHURKIN and SHARON SHURKIN,
Individually and On Behalf of All Others Similarly
Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A.
MOORE, and CARL W. RAUSCH,

Defendants.

JAMES J. NIZZO, VIRGINIA C. NIZZO and
CARLO CILIBERTI, On Behalf of Themselves
and All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A.
MOORE, CARL W. RAUSCH and RONALD F.
RICHARDS,

Defendants.

CIVIL ACTION NO. 1:04-cv-10055-NG

CIVIL ACTION NO. 1:04-cv-10065-NG

ANASTASIOS PERLEGIS, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

MARTIN WEBER, On Behalf of Himself and All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

BRUCE HAIMS, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

CIVIL ACTION NO. 1:04-cv-10078-NG

CIVIL ACTION NO. 1:04-cv-10090-NG

CIVIL ACTION NO. 1:04-cv-10144-NG

MODEL PARTNERS LIMITED, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A.
MOORE, CARL W. RAUSCH and RONALD F.
RICHARDS,

Defendants.

JUNE E. PATENAUME, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A.
MOORE, CARL W. RAUSCH and RONALD F.
RICHARDS,

Defendants.

NANCY L. PINCKNEY, and GERTRUDE
PINCKNEY, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A.
MOORE, and CARL W. RAUSCH,

Defendants.

CIVIL ACTION NO. 1:04-cv-10155-NG

CIVIL ACTION NO. 1:04-cv-10179-NG

CIVIL ACTION NO. 1:04-cv-10189-NG

W. KENNETH JOHNSON, On Behalf of Himself and All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

GREGORY KRUSZKA, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH and RONALD F. RICHARDS,

Defendants.

CIVIL ACTION NO. 1:04-cv-10190-NG

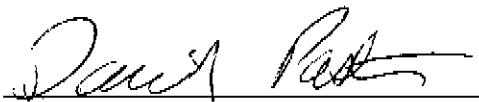
CIVIL ACTION NO. 1:04-cv-10202-NG

PLEASE TAKE NOTICE that Class members Bill McCardie and Vincent Riccio ("Movants"), hereby move this Court pursuant to Fed. R. Civ. P. 42(c) and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, for an Order: (a) consolidating all of the above actions into one action for all purposes; (b) appointing Movants to serve as lead plaintiffs; and (c) approving Movants' selection of counsel for the Class.

In support of their motion, Movants submit: (a) the Declaration of David Pastor sworn to on March 1, 2004, and annexed exhibits; (b) a Memorandum of Law; and (c) a Proposed Order granting Movants' motion for consolidation, appointment of lead plaintiffs and approval of their selection of lead counsel for the Class.

Dated: March 1, 2004

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**Counsel for Movants and
Proposed Lead Counsel for the Class**

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March 2004, I have caused a true and correct copy of the foregoing: Motion for Consolidation of the Related Cases, Appointment of Bill McCardie and Vincent Riccio as Lead Plaintiffs, and for Approval of Their Selection of Lead Counsel, Memorandum of Bill McCardie and Vincent Riccio in Support of Their Motion to Consolidate the Actions, Be Appointed as Lead Plaintiffs and Approve Their Choice of Lead Counsel, Declaration of David Pastor In Support of the Motion to Consolidate the Related Cases, Appoint Bill McCardie and Vincent Riccio as Lead Plaintiffs and to Approve Lead Plaintiffs' Choice of Counsel, (Proposed) Order Consolidating the Related Cases, Appointing Bill McCardie and Vincent Riccio as Lead Plaintiffs and Approving Their Counsel, to be served via first class mail to all counsel on attached service list.



David Pastor

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Biopure Corporation Securities Litigation

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